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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by the International League for the Rights and Liberation of Peoples, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[1 March 1996]

Resolution of the conflict in Kashmir

1. At a time when the Governments of both India and Pakistan are escalating their hostile militarist activities, thereby threatening to drag both countries into yet another war, it is desirable that in the two countries other ways and means for peace come forward. These must prevail over the irresponsible utterances and actions of their political leaders who appear to be indifferent to the suffering that ordinary Indian and Pakistani citizens face as a result of the only policy that New Delhi and Islamabad have in common - the policy of increasing militarization based on mutual suspicion and fear.

2. The main cause of this dangerous armed confrontation is the dispute over Kashmir, which has remained unresolved for almost 50 years. India remains primarily responsible for the continuing political crisis there, while Pakistan is guilty of covert and overt military interventions in Kashmir.

3. There exist in both countries a great number of popular organizations and groups representing the human rights movement which have gathered on several occasions. The main objective of the Pakistan-India People's Forum for Peace and Democracy is to persuade the two belligerent Governments to listen to the voices of their peoples, and enter into meaningful negotiations to adopt policies that would ease tensions and pave the way for lasting peace and friendship in the subcontinent.

4. The Conventions convened by the Pakistan-India People's Forum for Peace and Democracy held in New Delhi (February 1995) and in Lahore (November 1995) commend, inter alia, the following resolutions and recommendations to both countries, India and Pakistan.

(a) On demilitarization. In view of the long-term damaging effects of arms races and the resulting diversion of scarce resources away from pressing social needs, the Governments of India and Pakistan are urged to:

(i) Negotiate a reduction of war capabilities;

(ii) Pull back heavy military deployments from the border and make military exercises of both countries open to observers from either country;

(iii) Prevent cross-border support for insurgencies and proxy wars;

(iv) Conclude their own test ban treaty in advance of the comprehensive test ban treaty;

(v) To undertake measures to counter the adverse effects of foreign and domestic policies of a militaristic nature;

(vi) Refrain from installing weapons of war as national monuments.

(b) On intolerance:

(i) Revise school textbooks, specifically those on history, and explore possibilities for preparing common texts for both countries;

(ii) Monitor communal violence and discrimination in both countries.

(c) On governance:

(i) Repeal laws or acts which offend fundamental rights/human rights, civil liberties and bar judicial review of administrative action, in particular the Public Safety Act (India), Armed Forces Special Powers Act (India), Frontier Crimes Regulations (Pakistan), Maintenance of Public Order (MPO, Pakistan);

(ii) Stop the use of State mechanisms to suppress political dissent;

(iii) Repeal laws which perpetuate economic disparities, on land, rent, forestry, industrial relations and resource distributions;

(iv) Ratify all international instruments in the field of human rights including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the Additional Protocols to the Geneva Conventions;

(v) Establish human rights courts at SAARC (South Asian Association for Regional Cooperation) level;

(vi) Promulgate laws pertaining to juvenile justice;

(vii) Repeal laws that discriminate against women;

(viii) After meeting local and national needs, agricultural surplus should preferably be exported to the nations of South Asia;

(ix) Enforce a minimum wage, provide identity cards to all unorganized workers, set up labour boards to regulate employment at the national, State and local levels, implement provision of social security for old age, sickness, disability, accident compensation, maternity facilities for women workers, and give to all categories of workers the freedom to associate and unionize;

(x) Abolish child labour;

(xi) Eliminate bonded labour.

(d) On Kashmir in particular:

(i) Recognize that Kashmir is not merely a territorial dispute between India and Pakistan but concerns the lives and aspirations of the peoples of Jammu and Kashmir, therefore take into consideration the wishes and aspirations of the peoples of Jammu and Kashmir;

(ii) Stop violation of human rights by India in Jammu and Kashmir;

(iii) Stop the supply of arms by all forces of Pakistan which lead to violations of human rights of the civilian population of Jammu and Kashmir;

(iv) Stop projecting propaganda as news;

(v) Appoint a joint Indo-Pakistan Committee on Kashmir, to hold discussions with all the parties, including Kashmiri participants from both sides of the line of control, with the aim of contributing towards a peaceful and democratic solution.

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